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10 United States of America

11 IN THE UNITED STATES DISTRICT COURT

12 EASTERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,

14 CASE NO. 1:24-CR-00126-NODJ-BAM

15 Plaintiff,

16 STIPULATION TO RESET MATTER FOR CHANGE  
17 OF PLEA AS TO DONNIE HICKS; AND ORDER

18 v.

19 DONNIE HICKS

20 Defendants.

21 IT IS HEREBY STIPULATED by and between Michele Beckwith, Acting United States Attorney  
22 and Robert L. Veneman-Hughes, Assistant U.S. Attorney, as well as Robert Lamanuzzi, attorney for  
23 defendant DONNIE HICKS that change of plea set for April 7, 2025 at 9:00 a.m. be moved to May 19, 2025,  
24 before a district judge for change of plea.

25 **STIPULATION**

26 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
27 through defendants' counsel of record, hereby stipulate as follows:

28 1. The parties have reached a plea agreement and previously set a change of plea for April  
7, 2025.

29 2. The court has let the parties know it has a scheduling conflict on April 7, 2025 and is  
30 instead available, among other dates, on May 19, 2025.

31 3. By this stipulation, the parties now move to reset the existing hearing and exclude time  
32 from April 7, 2025 to May 19, 2025.

33 4. The parties agree and stipulate, and request that the Court find the following:

1 a) Defendant has agreed to enter a change of plea and desires to have his counsel  
2 present and prepared for that hearing, and defense counsel needs the time requested in this  
3 stipulation to prepare for change of plea.

4 b) The government does not object to the continuance.

5 c) An ends-of-justice delay is particularly apt in this case because:  
6 • The defendant has signed a plea agreement and the selected date is the soonest  
7 convenient date for court and counsel.

8 d) Based on the above-stated findings, the ends of justice served by continuing the  
9 case as requested outweigh the interest of the public and the defendant in a trial within the  
10 original date prescribed by the Speedy Trial Act.

11 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
12 et seq., within which trial must commence, the time period of April 7, 2025 until May 19, 2025,  
13 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv) because  
14 it results from a continuance granted by the Court at defendants' request on the basis of the  
15 Court's finding that the ends of justice served by taking such action outweigh the best interest of  
16 the public and the defendants in a speedy trial.

17 5. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
19 must commence.

21 Dated: April 1, 2025

22 Respectfully submitted,

23 MICHELE BECKWITH  
Acting United States Attorney

25 By /s/ Robert L. Veneman-Hughes  
26 ROBERT L. VENEMAN-HUGHES  
27 Assistant United States Attorney

28 Dated: April 1, 2025

/s/ Robert Lamanuzzi  
ROBERT LAMANUZZI  
Attorney for Defendant Donnie HICKS

1 **ORDER**

2 IT IS SO ORDERED that the change of plea hearing is continued from April 7, 2025, to **May**  
3 **19, 2025, at 8:30 a.m. in Courtroom 5 before the District Court Judge.** Time is excluded pursuant to  
4 18 U.S.C. § 3161(h)(7)(A), B(iv).

5  
6 IT IS SO ORDERED.  
7

8 Dated: April 1, 2025

/s/ *Barbara A. McAuliffe*

9 UNITED STATES MAGISTRATE JUDGE